

रजिस्टर्ड नं० ल०-33/एस० एम० 14/91.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 10 जुलाई, 1991/19 भाषाढ़, 1913

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला 2, 10 जुलाई, 1991

क्रमांक एल० एल० आर० (डी) (6)-18/91-लैजिस्लेशन. — हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 213 के खण्ड (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए तारीख 4 जुलाई, 1991 को

1665-राजपत्र/91-10-7-91—1,277.

(1587)

मूल्य : 1 रुपया ।

प्रस्थापित हिमाचल प्रदेश अनुसूचित जाति और अनुसूचित जनजाति विकास निगम (संशोधन) अध्यादेश, 1991 (1991 का अध्यादेश संख्यांक 1) को संविधान के अनुच्छेद 348 (3) के अधीन उसके प्राधिकृत अंग्रेजी पाठ सहित, राजपत्र, हिमाचल प्रदेश में प्रकाशित करते हैं ।

आदेश द्वारा,
ए० एल० वैद्य,
सचिव (विधि) ।

1991 का हिमाचल प्रदेश अध्यादेश संख्यांक 1.

हिमाचल प्रदेश अनुसूचित जाति और अनुसूचित जनजाति विकास निगम (संशोधन)
अध्यादेश, 1991

भारत गणराज्य के व्यापारिक वर्ष में, राज्यपाल, हिमाचल प्रदेश द्वारा प्रख्यापित हिमाचल प्रदेश अनुसूचित जाति और अनुसूचित जनजाति विकास निगम अधिनियम, 1979 (1979 का 20) का और संशोधन करने के लिए अध्यादेश।

हिमाचल प्रदेश विधान सभा सत्र में नहीं है और राज्यपाल, हिमाचल प्रदेश का समाधान हो गया है कि ऐसी परिस्थितियाँ विद्यमान हैं जिन के कारण उन्हें तुरन्त कार्रवाई करना आवश्यक हो गया है;

अतः राज्यपाल, हिमाचल प्रदेश भारत के संविधान के अनुच्छेद 213 के खण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित अध्यादेश प्रख्यापित करते हैं:—

1. इस अध्यादेश का संक्षिप्त नाम हिमाचल प्रदेश अनुसूचित जाति और अनुसूचित जनजाति विकास निगम (संशोधन) अध्यादेश, 1991 है।

संक्षिप्त नाम
और
प्रारम्भ।

2. हिमाचल प्रदेश अनुसूचित जाति और अनुसूचित जनजाति विकास निगम अधिनियम, 1979 (जिसे इसमें उसके पञ्चान्न मूल अधिनियम कहा गया है) की धारा 5 में "ten crores" शब्दों के स्थान पर जहाँ कहीं भी वे आए हैं "twenty crores" शब्द रखे जाएंगे।

धारा 5 का
संशोधन।

3. मूल अधिनियम की विद्यमान धारा 16 के पश्चात्, निम्नलिखित प्रागः-
स्थापित की जाएगी, अर्थात्:—

धारा 16-A
का अन्तः
स्थापन।

"16-A. Conferment of additional functions on the Corporation.

(1) Notwithstanding anything contained in this Act, the Governor may, after consultation with the Corporation, entrust either conditionally or unconditionally to the Corporation or its officers additional functions in relation to the social security or social insurance or uplift of the weaker sections of the society in the state.

(2) The Governor may, by order in writing and after consultation with the Corporation, confer on the Corporation such powers of supervisory nature over agencies, authorities or offices set up, constituted or appointed by State Government as are necessary for providing social security or social insurance and up lift of the weaker sections of the society in the State.

(3) When any additional functions are conferred on the Corporation under sub-section (1), the Corporation shall exercise the same powers, discharge same duties and perform the same functions, as it would have exercised in discharge of duties and performance of functions assigned to it under section 16 and the provisions of this Act shall apply accordingly.

- (4) Where by virtue of this section powers and duties have been conferred or imposed upon the Corporation or officers or authorities thereof, there shall be paid by the State Government to the Corporation such sum as may be agreed in respect of any extra costs of administration incurred by the Corporation in connection with the exercise of those powers and duties."

धारा 17
का
संशोधन।

4. मूल अधिनियम की धारा 17 में—

- (क) शीर्ष और पाठ में "six" शब्द के स्थान पर जहाँ भी यह आया है "seven" शब्द रखा जाएगा ;
(ख) खण्ड (e) के अन्त में आए "and" शब्द का लोप किया जाएगा ;
(ग) खण्ड (f) में आए चिन्ह ";" के स्थान पर ";" and " चिन्ह और शब्द रखे जाएंगे ;
(घ) इस प्रकार संशोधित खण्ड (f) के पश्चात्, निम्नलिखित खण्ड (g) जोड़ा जाएगा, अर्थात्:—
(g) "Additional Functions Fund."

धारा 18
का
संशोधन।

5. मूल अधिनियम की धारा 18 में, अंक और शब्द "22 and 23" के स्थान पर, "22, 23 and 23-A" अंक, चिन्ह, शब्द और वर्ण रखे जाएंगे।

धारा 23-A
का अन्तःस्था-
पन

6. मूल अधिनियम की विद्यमान धारा 23 के पश्चात् निम्नलिखित नई धारा 23-A जोड़ी जाएगी, अर्थात्:—

"23-A. *Additional Functions Fund.*—All amounts that are received by the Corporation from the State Government or from any other source for the performance of the additional functions assigned to it under Section 16-A, shall be credited to this fund and it shall be used by the Corporation for the purpose for which such amount has been provided."

कैम्प—मुजफ्फर नगर
4 जुलाई, 1991

वीरेन्द्र वर्मा,
राज्यपाल।

AUTHORITATIVE ENGLISH TEXT

H. P. Ordinance 1 of 1991.

THE HIMACHAL PRADESH SCHEDULED CASTES AND SCHEDULED TRIBES DEVELOPMENT CORPORATION (AMENDMENT) ORDINANCE, 1991

Promulgated by the Governor of Himachal Pradesh in the Forty-second Year of the Republic of India.

An Ordinance further to amend the Himachal Pradesh Scheduled Castes and Scheduled Tribes Development Corporation Act, 1979 (Act No. 20 of 1979).

Whereas the Legislative Assembly of Himachal Pradesh is not in session and the Governor of Himachal Pradesh is satisfied that the circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to make and promulgate the following Ordinance :—

1. This Ordinance may be called the Himachal Pradesh Scheduled Castes and Scheduled Tribes Development Corporation (Amendment) Ordinance, 1991.

Short title and commencement.

2. In section 5 of the Himachal Pradesh Scheduled Castes and Scheduled Tribes Development Corporation Act, 1979 (hereinafter called the principal Act) for the words "ten crores", wherever these occur, the words "twenty crores" shall be substituted.

Amendment of section-5.

3. After existing section 16 of the principal Act, the following section shall be inserted, namely:—

Insertion of section 16-A.

"16-A. Conferment of additional functions on the Corporation.—(1)

Notwithstanding anything contained in this Act, the Governor may, after consultation with the Corporation, entrust either conditionally or unconditionally to the Corporation or its officers additional functions in relation to the social security or social insurance or uplift of the weaker sections of the society in the State.

(2) The Governor may, by order in writing and after consultation with the Corporation, confer on the Corporation such powers of supervisory nature over agencies, authorities or officers set up, constituted or appointed by the State Government as are necessary for providing social security or social insurance and uplift of the weaker sections of the society in the State.

(3) When any additional functions are conferred on the Corporation under sub-section (1), the Corporation shall exercise the same powers, discharge same duties and perform the same functions, as it would have exercised in discharge of duties and performance of functions assigned to it under section 16 and the provisions of this Act shall apply accordingly.

- (4) Where by virtue of this section powers and duties have been conferred or imposed upon the Corporation, or officers or authorities thereof, there shall be paid by the State Government to the Corporation such sum as may be agreed in respect of any extra costs of administration incurred by the Corporation in connection with exercise of those powers and duties."

Amendment
of section
17.

4. In section 17 of the principal Act--

- (a) for the word "six" wherever it occurs in its heading and body, the word "seven" shall be substituted;
- (b) in clause (e) the word "and" occurring at the end, shall be omitted;
- (c) in clause (f), for the sign "." the sign and word "; and" shall be substituted; and
- (d) after clause (f) so amended, the following clause (g) shall be added, namely :—

"(g) Additional Functions Fund."

Amendment
of section
18

5. In section 18 of the principal Act, for the figures and word "22 and 23", the figures, sign, word and alphabet "22, 23 and 23-A" shall be substituted.

Insertion of
section 23-A.

6. After existing section 23 of the principal Act, the following new section 23-A. shall be added, namely :—

"23-A. *Additional Functions Fund*.—All amounts that are received by the Corporation from the State Government or from any other source for the performance of the additional functions assigned to it under section 16-A, shall be credited to this fund and it shall be used by the Corporation for the purpose for which such amount has been provided."

VIRENDRA VERMA,
Governor.

CAMP—MUZAFFARNAGAR
The 4th July, 1991